THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D. APPA RAO

Taken up Writ Petition No.8048 of 2007

Date: 01-05-2007

Between:

Gurunadham Penchalamma

… Petitioner/s

And

The Station House Officer,
Rural Police Station,
Nellore,
Nellore District and another.

… Respondent/s

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ORAL ORDER: (per the Hon'ble Sri Justice D.S.R. Varma)

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a telegram, dated 05-04-2007, sent by one Gurunadham Penchalamma, w/o. G.Bikshalu, resident of Chandrababu Nagar, Nellore Town, Nellore, alleging that her husband viz., Gurunadham Bikshalu was illegally detained by the Sub-Inspector of Police, Nellore Rural Police Station, Nellore, on 03-04-2007 and apprehending danger to his life.

3. The Sub-Inspector of Police, Rural Police Station, Nellore, filed counter affidavit, which reveals that there were some family disputes which forced the alleged detenu to leave the house and spent some time somewhere else. However, after he was traced out, he was presented before the Tahsildar, Nellore Mandal, Nellore District, on 24-04-2007, who recorded the statement of the alleged detenue. The counter affidavit further reveals that the alleged detenu is never illegally detained by the police and moving freely as of now.

4. In view of the above facts and circumstances and having regard to the fact that the alleged detenu is now moving freely, we do

not find any reason to continue the writ petition any further and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

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JUSTICE D.S.R.VARMA

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JUSTICE D. APPA RAO

01-05-2007.
Msr.

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(Msr)